

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MAY 6, 1996
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:13 p.m. Mayor Golding welcomed Council Member Stallings back after her recent surgery. Chairperson Stevens adjourned the meeting at 7:20 p.m. to meet in Closed Session on Tuesday, May 7, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss existing and anticipated litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present

Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, May 6, 1996

Page 2

- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Elder Kearl of the Mormon
Battalion Memorial Center.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding God or Mammon and
the need to restore biblical values to the schools.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-075.)

ITEM-PC-2:

Comment by Bob Scheidt regarding government tyranny.

FILE LOCATION: AGENDA

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, May 6, 1996**

Page 3

COUNCIL ACTION: (Tape location: A076-100.)

ITEM-PC-3:

Comment by Jim Baross saluting public employees,
especially in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A101-122.)

ITEM-PC-4:

Comment by Dr. Art Salzberg regarding the El Cortez and
downtown renaissance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A123-156.)

ITEM-PC-5:

Comment by Mel Shapiro regarding discrimination.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A157-180.)

ITEM-PC-6:

Comment by Michael Kumeta regarding teenage and child
pornography.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A185-225.)

ITEM-PC-7:

Comment by Michael Lambert regarding obscenity and
teenage pornography.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, May 6, 1996**

Page 4

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A226-243.)

ITEM-PC-8:

Comment by Pastor Jim Baize regarding the need to
aggressively prosecute pornography.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A244-248.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Stevens commented on being misquoted.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A250-265.)

ITEM-CC-2:

Council Member Vargas presented his daughter Rosa
Celina Vargas.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A265-291.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

4/15/96
4/16/96

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, May 6, 1996**

Page 5

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A045-049.)

MOTION BY KEHOE TO APPROVE. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Congregation Beth Israel Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1229) ADOPTED AS RESOLUTION R-287245

Commending Congregation Beth Israel San Diego for its dedication to the young citizens and families of San Diego;

Commending Congregation Beth Israel for 135 years of service locally and proclaiming May 11, 1996 to be "Congregation Beth Israel Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A295-385; A645-651.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: National Association of Retired Federal Employees
Appreciation Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1288) ADOPTED AS RESOLUTION R-287246

Recognizing and thanking retired government employees in San Diego and throughout the United States for their commitment to improving the lives of Americans each day;

Proclaiming Monday, May 6, 1996 to be "National Association of Retired Federal Employees Appreciation Day" in San Diego, in recognition of the 75th Anniversary of the National Association of Retired Federal Employees and the many contributions government employees have made around the world.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A548-B034.)

MOTION BY MATHIS TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Historic Preservation Week.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1205) ADOPTED AS RESOLUTION R-287247

Proclaiming the week of May 12 through 18, 1996 to be "Preservation Week" in San Diego, and calling upon the people of San Diego to join their fellow citizens across the United States in recognizing and participating in this special observance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A476-540; A645-651.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: TRAILED TO TUESDAY, MAY 7, 1996

Presentation of the City Manager's Fiscal Year 1997
Proposed Budget to the Mayor and City Council.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B036-040.)

ITEM-35:

SUBJECT: National Tourism Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1354) ADOPTED AS RESOLUTION R-287248

Recognizing the importance of the Visitor Industry to
the San Diego region;

Proclaiming May 5 through May 11, 1996 to be "National
Tourism Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A385-475; A645-651.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-50:

SUBJECT: Daytime Loitering Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 4/22/96. (Council voted 6-1. Councilmember McCarty voted nay. Councilmembers Warden and Stallings not present):

(O-96-144 Rev.) ADOPTED AS ORDINANCE O-18296 (New Series)

Amending Chapter V, Article 8, of the San Diego Municipal Code by adding Section 58.05 titled "Daytime Loitering of Juveniles in Any Public Place on School Days."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F130-G155.)

MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-not present, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: 15-Year Lease Agreement for Property at Montgomery Field Airport.

(Kearny Mesa Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/15/96. (Council voted 9-0):

(O-96-140) ADOPTED AS ORDINANCE O-18297 (New Series)

Authorizing the City Manager to execute a 15-year lease

agreement with Coast Aircraft Sales & Salvage, Inc.,
for property at Montgomery Field Airport, at an initial
annual rent of \$28,500.

NOTE: 6 votes required. Pursuant to Section 99 of the City
Charter, a notice regarding the adoption of this ordinance was
published in the Daily Transcript on 4/1/96.

FILE LOCATION: LEAS-Coast Aircraft Sales & Salvage, Inc.
LEASFY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Wear. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: 20 Year Lease Agreement with Air 88, Inc. for Property
at Montgomery Field Airport.

(Kearny Mesa Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
4/15/96.

(Council voted 9-0):

(O-96-139) ADOPTED AS ORDINANCE O-18298 (New Series)

Authorizing the City Manager to execute a 20-year lease
agreement, with one ten-year option to extend, with Air
88, Inc. (San Diego, CA), for property at Montgomery
Field Airport, at an initial annual rent of \$110,800.

NOTE: 6 votes required. Pursuant to Section 99 of the City
Charter, this ordinance was noticed in the Daily Transcript on
4/1/96.

**Minutes of the Council of the City of San Diego
for the Regular Meeting of Monday, May 6, 1996**

Page 10

FILE LOCATION: LEAS-Air 88, Inc. (San Diego, CA) LEAS
FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Wear. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

*** ITEM-53:**

SUBJECT: Proposal to Lease Space in the Rancho Pegasquitos Area
to Airtouch Cellular.

(Rancho Pegasquitos Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
4/22/96.

(Council voted 7-0. Councilmembers Warden and Stallings not
present):

(O-96-148) ADOPTED AS ORDINANCE O-18299 (New Series)

Authorizing the City Manager to execute a 5-year lease
agreement, with three five-year options to renew, with
Airtouch Cellular for approximately 390 square feet of
space in the Rancho Pegasquitos Area.

NOTE: 6 votes required. Pursuant to Section 99 of the City
Charter, a notice regarding the adoption of this ordinance was
published in the Daily Transcript on 4/19/96.

FILE LOCATION: LEAS-Airtouch Cellular LEAS FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Wear. Passed by the

following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-54:

SUBJECT: City of San Diego Public Right-of-Way Ordinance.
(See City Manager Report CMR-96-14; Memorandum from
Frank Belock; Memorandum from the City Attorney.)

TODAY'S ACTION IS:

Introduction of the following ordinance:

(O-96-114) INTRODUCED, TO BE ADOPTED MAY 28, 1996

Introduction of an Ordinance amending Chapter VI,
Article 2, Division 1 of the San Diego Municipal Code
by amending Sections 62.0102 and 62.0116 and by adding
a new Division 11 to provide procedures for Public
Utilities' Use of the Public Rights-of-Way within the
City of San Diego.

RULES COMMITTEE'S RECOMMENDATION:

On 2/5/96, RULES voted 4-0 to accept Items 1 and 3 of City
Manager's Report CMR-96-14, with the stipulation that an
amendment be made to Item 3 to change one month to two months,
the required time to provide the City with maps of anticipated
projects prior to the work occurring. (Councilmembers Kehoe,
Warden, Stallings and Mayor Golding voted yea. Councilmember
Mathis not present.)

CITY MANAGER SUPPORTING INFORMATION:

Recently, numerous utility companies have been trenching in City
streets as part of their effort to install miles of fiber optic
conduit to create an information superhighway which has become a
focus of the City of San Diego. This effort is critical to our
being well positioned to take advantage of new and faster methods
of communicating and processing information. On February 5,
1996, the Rules Committee considered a draft ordinance which
would attempt to address the situation of the effort causing
damage to City streets. The Committee approved and forwarded to

the City Council those portions of the draft ordinance that 1) required utilities to pay funds that would reimburse the City for our inspection of the utilities' work in the public right-of-way and 2) require that the utilities provide the City with maps showing where they will be working at least two months in advance. The subject ordinance provides for those requirements.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO INTRODUCE THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Two actions related to Strategy for Revitalizing Vacant Properties - MacLeod & Associates Final Report.

(See City Manager Reports CMR-96-100 and CMR-96-29.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinance:

Subitem-A: (R-96-1268) ADOPTED AS RESOLUTION R-287249

Adoption of a Resolution declaring that the City Council wishes to strengthen enforcement remedies to encourage property owners to rehabilitate vacant structures, based on the recommendations of the Vacant Properties Task Force;

Authorizing an amendment to the Municipal Code to strengthen existing law requiring owners of boarded structures to file in writing how they intend to rehabilitate their property;

Declaring that the City Council wishes to further citywide goals to rehabilitate housing stock by establishing a penalty for owners of boarded structures who do not make good faith efforts to rehabilitate,

lease, rent or sell their property.

Subitem-B: (O-96-152) INTRODUCED, TO BE ADOPTED MAY 28,
1996

Introduction of an Ordinance amending Chapter I,
Article 2, Division 5 of the San Diego Municipal Code
relating to the Appeal Procedures for Administrative
Enforcement Actions; amending Chapter 5, Article 4,
Division 3 relating to the Abatement of Vacant
Structures; and amending Chapter IX, Article 1,
Division 1 by amending Section 91.0102, relating to the
Abatement of Unsafe, Substandard or Dangerous Buildings
or Structures.

PUBLIC SERVICES AND NEIGHBORHOOD SERVICES'S RECOMMENDATION:

On 2/21/96 PS&NS voted 3-0 to approve the City Manager's
recommendation on consent. (Councilmembers Wear, Kehoe, McCarty
voted yea. Councilmembers Stevens and Vargas voted not present.)

FILE LOCATION: Subitem A: MEET Subitem B: NONE

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTION FOR SUBITEM
A AND TO INTRODUCE THE ORDINANCE FOR SUBITEM B. Second by
Wear. Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Sale of "Hooch."

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1274) ADOPTED AS RESOLUTION R-287250

Calling upon the California Department of Alcoholic
Beverage Control to discipline the license of the

company selling Hooper's Hooch should the Department determine that the company's intent is to sell Hooper's Hooch and like products to underage persons or to advertise to underage persons in violation of Business & Professions Code Section 25664.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:

On 4/10/96, PS&NS voted 3-0 to: a) approve the proposed resolution regarding Hooper's Hooch; b) take a position of support on AB2799 - Thompson and any similar legislation that may be introduced; c) direct the City Manager to vigorously enforce underage drinking laws; and d) direct the Intergovernmental Relations Department to contact the City of Miami, Florida to inform them of our action regarding this matter. (Councilmembers Wear, Kehoe, and Stevens voted yea. Councilmembers McCarty and Vargas not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Amending Resolution R-286907 - Water Transfer Agreement between the County Water Authority and the Imperial Irrigation District.

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1063) ADOPTED AS RESOLUTION R-287251

Amending Resolution No. R-286907, adopted on February 12, 1996, by recognizing the City of San Diego County Water Authority (CWA) representatives to the Metropolitan Water District Board of Directors;

Supporting the ongoing efforts of the CWA and the Imperial Irrigation District (IID) to develop, for consideration by their respective communities and Boards of Directors, an agreement under which IID would make available, and the CWA would purchase, Conserved Water, as set forth in the Report on the IID - SDCWA Water Transfer Negotiations, dated January 1996, on mutually acceptable terms;

Recognizing and commending the members of the CWA and the IID for their vision and commitment to a creative water supply solution;

Acknowledging and thanking the CWA's representatives to the Metropolitan Water District (MWD) Board of Directors for their individual and collective efforts to strengthen San Diego County's influence at MWD and to enhance the long-term water supplies and reliability of San Diego County's Water Supply: Authority Chairman Mark Watton; former Chairman and current Director Dale Mason; Director Harry Griffen; Director Joe Parker; Director Chris Frahm; and former Chairwoman and current Director Francie Krauel.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S
RECOMMENDATION:

On 1/10/96, NRC&A voted 5-0 to direct the City Attorney to prepare a resolution by the City Council to the San Diego CWA in support of the San Diego's CWA efforts to ensure a safe, reliable, and sufficient supply of imported water as pursued through the CWA's negotiations with the IID. The Committee directed that the resolution express the City Council's approval of the ongoing efforts of the CWA and the IID to develop, for consideration by their respective communities and Boards of Directors, an agreement under which the IID would make available conserved water and the CWA would agree to purchase the use of such water on mutually acceptable terms. (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea.)

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Declaring the Results of the March 26, 1996 Election.
CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1231) ADOPTED AS RESOLUTION R-287252

Declaring the results of the Municipal Primary Election
and the Special Municipal Election held in the City of
San Diego on March 26, 1996.

CITY CLERK SUPPORTING INFORMATION:

A Municipal Primary Election was held March 26, 1996 for the purpose of nominating or electing candidates for Mayor, City Attorney and Councilmembers for Districts 1, 3, 5, and 7. A Special Municipal Election was held in the City on the same date, and consolidated with the State Primary Election, for the purpose of submitting three propositions to the voters of the City of San Diego. The results of these elections have been certified by the Registrar of Voters and the City Clerk and are now being certified to the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Re-advertising for Bids for Sutherland Boating
Facilities.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1096) ADOPTED AS RESOLUTION R-287253

Rejecting all bids received on November 17, 1995 for the improvement of the Sutherland Boating Facilities;

Approving the revised specifications for improvement of Sutherland Boat Facilities;

Authorizing Contract Services Division to re-advertise for bids on Work Order No. 182971;

Authorizing a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$213,000 within Water Revenue Fund 41500, from CIP-73-318.0, El Capitan Reservoir Boating Facilities - Phase II, to CIP-73-325.0, Sutherland Reservoir Boating Facilities - Phase II, contingent upon the City Council approval of the Fiscal Year 1997 Budget; authorizing the additional expenditure of \$213,000 from Water Revenue Fund 41500, CIP-73-235.0 Sutherland Reservoir Boating Facilities - Phase II, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to CIP-73-318.0, El Capitan Reservoir Boating Facilities - Phase II. (BID-K96036CA)

CITY MANAGER SUPPORTING INFORMATION:

This project will provide a new four-stall restroom, widened roadways, additional parking, sidewalks, upgraded utilities, landscaping, irrigation, and other facilities required for the anticipated increase in the usage of the lake's recreational facilities. On November 6, 1995, City Council authorized (RR-286512) the advertisement and construction funding for this project. During the advertisement period nine bid packages were issued. On November 17, 1995, only two bids were received by the Purchasing Agent and the low bidder was Wier Construction Corporation with a bid of \$348,669 which is 113 percent above the engineer's estimate of \$164,000. Subsequent to the bid opening it was discovered that prevailing wage rates were inadvertently

omitted from the contract documents. After consultation with the City Attorney, it was determined that the prevailing wage requirements must be added to the contract as required by the State Labor Code for State grant-funded projects, which would result in the rejection of all bids and the re-advertisement of this project. Also, through interviews with the plan holders, it was determined that the lack of bids received was primarily due to time conflicts with other projects conducting bids concurrently. It is anticipated that a re-advertisement for a longer period of time would avoid bid conflicts, induce more bids to be received, and partially lower the bid prices. However, due to the addition of prevailing wage rates and an analysis of the high bid prices received, it is anticipated that additional funding will still be required above that originally estimated. In addition, recent changes in the Sutherland Reservoir water usage plan to minimize the potential for damaging rainfall runoff will prohibit construction of this project (due to the high water level in the lake) until at least June of 1996. This has eliminated the need for a contract award at this time and will allow the additional time necessary for a re-advertisement. This re-advertisement is also recommended by the grant provider, State Department of Boating and Waterways.
WWF-P-96-224.

FILE LOCATION: W.O. 182971 CONT - Orion Construction
 CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Two actions related to Inviting Bids for the
 Construction of Sewer Group 72.
 (Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1091) ADOPTED AS RESOLUTION R-287254

Inviting bids for the Construction of Sewer Group 72 on
Work Order No. 171201;

Authorizing a contract with the lowest responsible
bidder, provided that the City Auditor and Comptroller
first furnishes a certificate demonstrating that the
funds necessary for expenditure are, or will be, on
deposit in the City Treasury;

Authorizing the execution of two escrow agreements with
the lowest responsible bidder for extended maintenance
and extended biological monitoring services;

Authorizing the expenditure of \$1,040,738 from Sewer
Revenue Fund 41506, Annual Allocation for Sewer Main
Replacement, CIP-44-001.0, provided that the City
Auditor and Comptroller first furnishes a certificate
demonstrating that the funds necessary for expenditure
are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-K96080C)

Subitem-B: (R-96-1092) ADOPTED AS RESOLUTION R-287255

Certifying that the information contained in Mitigated
Negative Declaration and Mitigation Monitoring and
Reporting Program, DEP-89-0276, dated 3/8/96, has been
completed in compliance with the California
Environmental Quality Act of 1970, and State
guidelines, and that Declaration has been reviewed and
considered by the Council; and adopting Mitigation,
Monitoring, and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Replacement Group Job 72 will rehabilitate approximately
2,748 feet of existing 6-inch sewer main and 1,491 feet of 8-inch
existing sewer main located in canyon areas of the Mission Hills,
Uptown Community. The existing concrete sewer mains were
installed before 1930, and are in a deteriorated condition. As a
result of this project, it is anticipated that flow conditions
will be improved, sewer stoppages will be minimized and a more

reliable sewer system will be provided to service the area. It is anticipated that the rehabilitation activities will impact some existing vegetation located within Dove Canyon. A mitigation plan is included in the construction contract to replace all damaged vegetation. Ongoing presentations of the proposed rehabilitation project were made to the Uptown Planners, and there were no objections. Residents will be notified at least twice by mail of construction activities, one month before the beginning of construction and 10 days before the beginning of construction.

WWF-P-96-232.

FILE LOCATION: W.O. 171201 U-Liner West CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Two actions related to Inviting Bids for Construction of Sewer Rehabilitation Group 80.
(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:
Adopt the following resolutions:

Subitem-A: (R-96-1093) ADOPTED AS RESOLUTION R-287256

Inviting bids for the Construction of Sewer Group 80 on Work Order No. 171191;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to execute two escrow

agreements with the lowest responsible bidder for extended maintenance and extended biological monitoring services;

Authorizing the expenditure of \$1,240,400 from Sewer Revenue Fund 41506, Annual Allocation for Sewer Main Replacement, CIP-44-001.0, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K96081C)

Subitem-B: (R-96-1094) ADOPTED AS RESOLUTION R-287257

Certifying that the information contained in Mitigated Negative Declaration DEP-89-0277, dated 3/8/96, in connection with Construction of Sewer Group 80, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by Council;

Adopting the Mitigation, Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Replacement Group Job 80 will rehabilitate approximately 4,536 feet of existing 6-inch sewer main and 1,500 feet of 8-inch existing sewer main located in canyon areas of the Mission Hills, Uptown Community. The existing concrete sewer mains were installed before 1930, and are in a deteriorated condition. As a result of this project, it is anticipated that flow conditions will be improved, sewer stoppages will be minimized and a more reliable sewer system will be provided to service the area. It is anticipated that the rehabilitation activities will impact some existing vegetation located within Lark-Ingalls Canyon. A mitigation plan is included in the construction contract to replace all damaged vegetation. Ongoing presentations of the proposed rehabilitation project were made to the Uptown Planners, and there were no objections. Residents will be notified at least twice by mail of construction activities, one month before the beginning of construction and 10 days before the beginning of

construction.
WWF-P-96-231.

FILE LOCATION: W.O. 171191 U-Liner West CONT FY96-3

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Two actions related to the Final Subdivision Map of
Jarrett Heights.
(A 23-lot subdivision, located south of Logan Avenue.
Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:
Adopt the following resolutions:

Subitem-A: (R-96-1260) ADOPTED AS RESOLUTION R-287258

Authorizing a Subdivision Improvement Agreement with
Carter Reese & Associates, for the installation and
completion of public improvements.

Subitem-B: (R-96-1259) ADOPTED AS RESOLUTION R-287259
Approving the final map.

FILE LOCATION: SUBD-Jarrett Heights CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Three actions related to the Final Subdivision Map of
Sabre Springs Parcel 1.

(A 6-lot subdivision, located north of Poway Road.
Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1280) ADOPTED AS RESOLUTION R-287260

Authorizing a Subdivision Improvement Agreement with
Pardee Construction Company, for the installation and
completion of public improvements.

Subitem-B: (R-96-1279) ADOPTED AS RESOLUTION R-287261

Approving the final map.

Subitem-C: (R-96-1281) ADOPTED AS RESOLUTION R-287262

Approving the acceptance of a grant deed of Pardee
Construction Company, granting to the City Lot 6 of
Sabre Springs Parcel 1, subject to an easement for open
space purposes.

FILE LOCATION: SUBITEM A: SUBD-Sabre Springs Parcel 1
SUBITEM B: SUBD-Sabre Springs Parcel 1;
SUBITEM C: DEED F-6747 DEED FY96-1
CONTFY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Certified Local Government (CLG) Grant Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1292) ADOPTED AS RESOLUTION R-287263

Authorizing application to the National Historic Preservation Fund Subgrant Program for the following project to be administered on behalf of the City by the Planning Department: The expansion of the on-going Mid-City Historic Resource Survey to include an area of Uptown that was to be included in the original Survey, but later was deleted due to the Community Development Grant Block (CDBG) allocation for the Program. This would be a \$15,000 project, in which \$9,000 would come from the Program, and the City's 40 percent match of \$6,000 would consist of the CDBG monies currently allocated for the Survey;

Authorizing the use of the required 40 percent local matching funds and in-kind services for the project as identified above.

CITY MANAGER SUPPORTING INFORMATION:

The Certified Local Government (CLG) status conferred on the City of San Diego by the State of California offers access to grant monies for historical preservation. The requirements for these grant applications include City Council resolutions indicating concurrence with any applications. All CLG grants require 40 percent matching funds or in-kind services from the City of San Diego. The matching funds and services are described below. The Historical Site Board would like to apply for a \$15,000 total grant, \$9,000 (60 percent) of which would be provided by the State for an expansion of the area to be surveyed in the ongoing Mid-City Survey. This would include an area of Uptown that was to be included in the original survey but had to be deleted in order to match the scope of work with the current CDBG grant budget. Deadline for Submittal of Grant Application: All complete application packages are due via registered mail in Sacramento not later than Wednesday, May 1, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Addition to FY 96 CIP - Ocean Boulevard, Phase IV.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1261) ADOPTED AS RESOLUTION R-287264

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$150,000 from State Coastal Conservancy Fund No. 38036 to CIP-29-453.0, Ocean Boulevard, Phase IV;

Authorizing the City Manager or his representative to accept and expend the funds;

Authorizing the City Auditor and Comptroller to establish a special interest bearing fund for the grant.

CITY MANAGER SUPPORTING INFORMATION:

In January 1996, an agreement was executed between the State's Coastal Conservancy and the City awarding \$150,000 in grant funds for public access improvements for the disabled at the Ocean Boulevard and Grand Avenue intersection in Pacific Beach. The proposed CIP reflects the improvements which include: a portable disabled access beach ramp, replacement of the existing stairway with a new stairway, disabled access to the public showers and increased accessibility to the parking lot including restriping.

Aud. Cert. 9601092.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,

Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Construction of Seismic Retrofit of the Washington
Street Bridge Over 6th Avenue.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1199) ADOPTED AS RESOLUTION R-287265

Accepting Program Supplement No. 11-5004(098) to Local
Agency - State Agreement for Federal Aid Project No.
11-5004(22), for an amount not to exceed \$710,895 for
construction of Seismic Retrofit of the Washington
Street Bridge over 6th Avenue;

Authorizing the Auditor and Comptroller to transfer
\$75,600 from CIP-53-037.0, Annual Allocation -
Earthquake Restrainers for Bridges, TransNet Fund
30300, to CIP-52-597.0, and the increase of \$65,895
from Program Supplement No. 11-5004(098) to
CIP-52-597.0, Seismic Retrofit of the Washington Street
Bridge over 6th Avenue;

Authorizing the expenditure of not to exceed \$871,495
from CIP-52-597.0, Seismic Retrofit of the Washington
Street Bridge over 6th Avenue, of which \$710,895 is
from Program Supplement No. 11-5004(098) and \$160,600
is from TransNet Fund 30300;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer funds to
the appropriate reserves, provided that the City
Auditor first furnishes a certificate demonstrating
that funds necessary for expenditure are, or will be,
on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The Washington Street Bridge over 6th Avenue has been identified as a seismically deficient bridge by CalTrans. This project will install column casings at Bents 3 and 4 and concrete walls in between the columns at Bents 2 and 5, so that the bridge will meet current seismic retrofit standards.

Aud. Cert. 9601069.

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Removal of Time Limit Parking Zone on Prospect Street.
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1207) ADOPTED AS RESOLUTION R-287266

Removing a parking time limit of two hours on the 400 block of Prospect Street between La Jolla Boulevard and Cuvier Street;

Authorizing the removal of necessary signs and markings.

CITY MANAGER SUPPORTING INFORMATION:

This action removes a two-hour time-limit parking zone on the east side of the 400 block of Prospect Street between La Jolla Boulevard and Cuvier Street. The proposed removal of the two-hour zone was petitioned by the property owner representing 100 percent of the affected frontage (Bishop's School). Accordingly, removal of the two-hour time-limit parking zone on the east side of the 400 block of Prospect Street is recommended. This item was discussed and approved by the La Jolla Traffic and

Transportation Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Street Name Change - Sorrento Hills Boulevard to Torrey View Court.

(Sorrento Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1263) ADOPTED AS RESOLUTION R-287267

Changing the street name of Sorrento Hills Boulevard to Torrey View Court.

CITY MANAGER SUPPORTING INFORMATION:

The developer of the Torrey View Project (Tentative Map TM-93-0142) has petitioned for the proposed street name change of Sorrento Hills Boulevard to Torrey View Court. The request is to accommodate the developer's marketing concerns regarding the current street name. The street name change will also affect the properties within Sorrento Hills Corporate Center, Map-12566 which are currently undeveloped. Sorrento Hills Boulevard was dedicated and named in conjunction with Sorrento Hills Corporate Center Unit 1, Map-12566. All of the affected property owners have agreed to the proposed street name change. The street signs for Sorrento Hills Boulevard have not been installed at this time and are being delayed pending the outcome of this action. All costs for the street signs will be the responsibility of the applicant. Staff supports the proposed street name change.

FILE LOCATION: DEED F-6753

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Commending Dr. Thomas B. Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1255) ADOPTED AS RESOLUTION R-287268

Commending Dr. Thomas B. Day for his many years of
commitment and devotion to the City of San Diego and
the nation as a whole;

Proclaiming Sunday, May 4, 1996 to be "Dr. Thomas B.
Day Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Excusing Councilmember Barbara Warden from attending
the Council meetings of 3/25/96 and 4/1-4/2/96 and
LU&H Committee meetings of 4/3/96 and 4/10/96.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1282) ADOPTED AS RESOLUTION R-287269

Excusing Councilmember Barbara Warden from attending the Council meetings of March 25, April 1 and April 2, 1996 and the from attending the Land Use and Housing Committee meetings of April 3, and April 10, 1996 due to City business being conducted in Sacramento, California.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Excusing Councilmember Juan Vargas from the Public Safety and Neighborhood Services Committee Meeting of April 10, 1996.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1234) ADOPTED AS RESOLUTION R-287270

Excusing Councilmember Juan Vargas from attending the regularly scheduled Public Safety and Neighborhood Services Committee Meeting of April 10, 1996, due to the birth of his first child.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Agreement with Berryman & Henigar for Replacement of
the Hollister Street (Bailey) Bridge Over the Tijuana
River.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1200) ADOPTED AS RESOLUTION R-287271

Authorizing an agreement with Berryman & Henigar (San
Diego, CA), for the preparation of environmental
documents for the replacement of the Hollister Street
(Bailey) Bridge Over the Tijuana River;

Authorizing the expenditure of not to exceed \$49,490
from CIP-52-625.0, Hollister Street (Bailey) Bridge
Over the Tijuana River, TransNet Fund 30300, provided
that the City Auditor first furnishes a certificate
demonstrating that funds necessary for such
expenditures are, or will be, on deposit in the City
Treasury.

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the replacement of the Hollister Street
Bridge Over the Tijuana River with a wider and longer bridge
which will provide for a travel lane in each direction and will
allow for grading to occur both upstream and down stream from the
bridge to remove the existing constriction in the channel. It is
proposed that Council Policy 300-7 be waived for selection of the
Consultant for the preparation of the environmental documents and
Berryman & Henigar (formerly known as BSI Consultants, Inc.) be
retained as a sole source Consultant. Retaining Berryman &
Henigar would be beneficial to the City in terms of schedule and
cost since they have previously prepared the Tijuana River Valley
Study and the replacement of the Hollister Street (Bailey) Bridge
was a component of the study.

Aud. Cert. 9601067.

FILE LOCATION: MEET CCONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Agreement with Pro Kids Golf Academy, Inc. for the Club House at 4085 52nd Street.

(Mid-City Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:
Adopt the following resolution:

(R-96-1262) ADOPTED AS RESOLUTION R-287272

Authorizing an agreement with Pro Kids Golf Academy, Inc. (San Diego, CA), for design and construction of their Club House at 4085 52nd Street;

Authorizing the expenditure of not to exceed \$40,000 from CDBG Fund 18531, Dept. 4082, JO 112556.

CITY MANAGER SUPPORTING INFORMATION:

Pro Kids Golf Academy, Inc. is a non-profit organization formed for the purpose of teaching golf to at-risk youths. The game offers a healthy alternative to the dismal alternatives available to the kids. The game of golf is typically beyond the reach of youngsters especially in areas populated by low and moderate income persons. Pro Kids Golf Academy, Inc. is proposing to remodel their club house and the restroom area to comply with Americans With Disabilities Act (ADA), install a security fence, furnace in the club house and minor improvements as needed. On May 1, 1995, City Council adopted Resolution No. R-285685 granting \$40,000 of CDBG Fund 18531. This action allows the \$40,000 to be used for this purpose.

Aud. Cert. 9601099.

FILE LOCATION: MEET CCONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Non-Binding Memorandum of Understanding (MOU) with the San Diego Regional Alternative Fuel Vehicle Coalition.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1163) ADOPTED AS RESOLUTION R-287273

Authorizing the execution of a Non-Binding Memorandum of Understanding (MOU) with the San Diego Regional Alternative Fuel Vehicle Coalition.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Regional Alternative Fuel Vehicle Coalition has requested the City of San Diego to enter into a non-binding MOU with the Coalition in order to facilitate the designation of the San Diego area as a "Clean Cities" Region by the U.S. Dept. of Energy. The designation would make the region eligible for federal funding opportunities. The goals of the Coalition, which consists of federal, state and local agencies, and private businesses, are to reduce dependence on conventional petroleum-based fuels, improve air quality, expand awareness of alternative fuels, explore funding opportunities, train operators and technicians, and establish markets and an infrastructure. City Council Policy 200-17, established on April 24, 1995, regarding Alternative Fuels, contains language very similar to the goals of the Coalition, including "Forming partnerships with other agencies to promote clean air programs and activities." The City also has implemented many programs which support CP-200-17 and the Coalition's proposed MOU: Transit/Coaster Passes, Carpool Coupons, Vanpools, Park & Ride Lots, Bicycle Storage Areas, Compressed Natural Gas Vehicles, and three fueling devices at the Chollas Yard. In conclusion, the goals of the Coalition and the City are very compatible, and the Coalition can

assist the City in achieving its goals.

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-119: CONTINUED TO MAY 7, 1996

SUBJECT: Balboa Park and Mission Bay Park Capital Improvements Program, Phase IC Underfunded or Unfunded Priority Projects.

(See Jack McGrory's Memorandum dated 4/12/96 and City Manager Report CMR-96-61.)

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S
RECOMMENDATION:

On 4/17/96, NRC&A voted 5-0 to recommend adoption of the following resolution:

(R-96-1269)

Rescinding the previous authorization of an expenditure not to exceed \$1,824,700 from CIP-21-834.0 for the Project, as set forth in Resolution R-284760, except as to amounts previously reimbursed pursuant to the Reimbursement Agreement Document RR-284760, and as to expenditures incurred in good faith through the effective date of this Resolution;

Deleting the Japanese Friendship Garden Reimbursement Project ("Project") from the list of approved Program Phase IC Projects and placed on the Program Phase IC Underfunded or Unfunded Priority Projects;

Removing the Museum of Photographic Arts Request for Agreement from the Program Phase IC Underfunded or Unfunded Priority Projects and placed on the list of

approved Program Phase IC Projects in an amount not to exceed \$1,000,000;

Adding an additional amount not to exceed \$245,900 to the approved Starlight Bowl Reimbursement Program Phase IC Project;

Directing the NR&CA Committee to hold a discussion on the design plans, design decision-making process, and design controversy regarding the Project;

Declaring that pending the results of the NR&CA Committee discussion, the Project is given first priority rights to Program Phase IC proceeds in excess of the currently programmed level, in an amount not to exceed \$1,245,900;

Giving second priority to the San Diego Civic Light Opera Association Program Phase IC Underfunded or Unfunded Priority Project to Program Phase IC proceeds in excess of the currently programmed level, in an amount not to exceed \$380,000;

Declaring the City Council's intent to reimburse project expenditures from proceeds of Certificates of Participation to be issued by the City for the purposes of funding Program Phase IC Projects as previously approved in Resolution R-287105, adopted April 1, 1996, and as modified by this Resolution or as modified by further City Council action.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D281-F129.)

Motion by Warden to adopt the resolution. Second by Kehoe. Amendment by Kehoe that the allocation of funds being rescinded is \$1,200,000 only, leaving roughly \$550,000 in funds still available to the Japanese Friendship Garden.

Motion by Vargas to continue the portion of this item that relates to the Japanese Friendship Garden and MOPA until Tuesday, May 7, or until the attorneys can answer the Council Members questions.

MOTION AMENDED BY VARGAS TO INCLUDE SUGGESTION BY COUNCIL

MEMBER MATHIS THAT THE ENTIRE ITEM BE CONTINUED. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: DEFEATED

SUBJECT: Sale to Fairbanks Country Club, Inc.

(See City Manager Report CMR-96-79. Fairbanks Ranch Community Area. District-1.)

(Continued from the meeting of April 15, 1996, Item 102, at the request of the Friends of the San Dieguito River Valley and the Citizens Advisory Committee for the River Valley, to allow the community groups, the Citizens Advisory Committee and the Joint Powers Authority, to review this item and respond to it.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:
(R-96-1192 Cor. Copy)

Authorizing the sale by negotiation of approximately 196 acres of land presently zoned A-1-1, described as portion of Lot 2, Fairbanks Country Club Unit No. 1, Map-10730, and presently leased to Fairbanks Ranch Country Club, Inc., for use as a golf course;

Authorizing the execution of a grant deed, granting to Fairbanks Ranch Country Club Inc., said property, in consideration for \$4 million, which shall be deposited into the City Capital Outlay Fund;
Determining that no broker's commission shall be paid by the City on the negotiated sale.

FILE LOCATION: DEED F-6639 DEED FY96-1

COUNCIL ACTION: (Tape location: B167-D280.)

MOTION BY McCARTY TO NOT AUTHORIZE THE SALE. Second by Stallings. Passed by the following vote: Mathis-yea,

Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Donation of Tijuana River Valley Property.

(Tijuana River Valley Community Area. District-8.)

(Continued from the meeting of April 22, 1996, Item
102, at Councilmember Stevens's request, for further
review before passing the property over to the State.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1217 Rev.1) ADOPTED AS RESOLUTION R-287274

Approving the acceptance of approximately 11.3 acres of
land located south of Monument Road within the Goat
Canyon area, in the Tijuana River Valley
(APN-662-020-20), donated by the beneficiaries of the
estate of Bessie Knox and Harley Knox;

Authorizing the execution of a standard form easement
deed granting to the International Border and Water
Commission a sewer pipeline across the property;

Authorizing the execution of a grant deed conveying the
property to the State of California Department of Parks
and Recreation, for inclusion into the Tijuana River
National Estuarine Research Reserve;

Thanking the beneficiaries of the estate of Bessie and
Harley Knox for their generous gift to the citizens of
San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The beneficiaries of the Bessie Knox and Harley Knox Trusts would
like to make a gift of 11.3 acres of property, APN-662-020-20,
located in the Tijuana River Valley, within the vicinity of the
Tijuana River National Estuarine Research Reserve. The City of

San Diego has no need for this property. However, the California Department of Parks and Recreation has requested the City's assistance in accepting this parcel for inclusion into the reserve. Because of timing, the Knox Trust has requested that the City act as intermediary in accepting this property for the State of California. Before conveying the property to the State of California the International Border Water Commission has requested an easement across the property for the purpose of a sewage outfall installation. The State of California has given its consent to the grant of easement. Acceptance of the donation will insure that this property will remain a public asset.

FILE LOCATION: DEED F-6740 DEED FY96-2

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Inviting Bids for the North Mission Valley Interceptor Sewer - Phase II.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1095) ADOPTED AS RESOLUTION R-287275

Inviting bids for the Construction of North Mission Valley Interceptor Sewer Phase II (NMVISIP2) - City Contract, on Work Order No. 172711;

Authorizing a contract with the lowest responsible bidder;

Authorizing the Auditor and Comptroller to transfer \$1,283,494 from CIP-44-001.0, Annual Allocation for Sewer Main Replacement to CIP-46-140.0, North Mission

Valley Interceptor Sewer, Phase II - City Contract;

Authorizing the expenditure of \$4,598,763 from
CIP-46-140.0;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-K96087C)

CITY MANAGER SUPPORTING INFORMATION:

The existing North Mission Valley Interceptor Sewer Phase II (NMVIS2), between Interstate 5 and Highway 163, conveys sewage from the neighboring City of San Diego communities, and is also the connecting link between six wastewater agencies in the East San Diego County and the Metropolitan Wastewater System (Metro). It was determined during the predesign phase of the project that paralleling the alignment of the proposed Metropolitan Transit Development Board (MTDB) Mission Valley West - Light Rail Trolley (MVW-LRT) was the best alignment for this new NMVIS2 pipeline. On May 31, 1994, by Resolution R-283994, the City entered into a cooperative agreement with MTDB to construct the portions of the NMVIS2 pipeline located within the trolley construction corridor, as part of MTDB's Trolley project, to avoid conflicts and minimize construction impacts on the local communities. This part of the NMVIS2 is currently under construction. This action involves the construction of the second part of the two-part contract to construct the NMVIS2 pipeline. This part includes constructing the remaining sewer mains for the NMVIS2 located outside the trolley construction corridor. The construction of this part, the second phase, will complete the construction of the North Mission Valley Interceptor Sewer as mandated by the interim consent decree deadline of December 1997.

Aud. Cert. 9600706.
WWF-P-96-207.

FILE LOCATION: W.O. 172711 CONT - BRH-Garver, Inc. CONT
FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Amendment No. 4 to the Agreement with Hirsch & Company
for the North Mission Valley Interceptor Sewer - Phase
II.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1228) ADOPTED AS RESOLUTION R-287276

Authorizing Amendment No. 4 to the Agreement with
Hirsch & Company, to perform additional engineering
consultant services in connection with the North
Mission Valley Interceptor - Phase II;

Authorizing the Auditor and Comptroller to transfer not
to exceed \$45,000 within Fund No. 41506, from
CIP-44-001.0, Annual Allocation for Sewer Main
Replacements, to CIP-46-140.0, North Mission Valley
Interceptor Sewer - Phase II;

Authorizing the expenditure of not to exceed \$45,000
from Fund No. 41506, CIP-46-140.0, North Mission Valley
Interceptor Sewer - Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The City Council authorized an agreement with Hirsch & Company
Consulting Engineers (HCO) on November 9, 1992, (R-281017 -
\$488,191) to provide predesign engineering services for the North
Mission Valley Interceptor Sewer - Phase II (NMVIS2). On October
25, 1993 (R-282873 - \$1,007,097), the City Council approved
Amendment No. 1 to provide engineering design consulting services
for the project. On May 10, 1993 (C-05526), the City Manager
approved Amendment No. 2, an administrative amendment to revise
the Indemnification and Hold Harmless section of the agreement.
On February 13, 1995, (R-285352 - \$77,300), the City Council
approved Amendment No. 3 to provide funding for additional
project design to realign the pipeline through the YMCA parking
lot to avoid impacts to wetland areas. During the design phase

of the project, it was determined that it was in the City's best interest to divide the construction of the project into two parts. The first part includes the construction of the pipeline located within the construction corridor of the Mission Valley Trolley. This part of the project is currently under construction as part of MTDB's trolley project. The second part, designated as NMVIS2 - City Contract, includes the construction of the pipeline located outside the trolley's construction corridor and local sewer mains in Friars Road. During the construction phase of the first part by MTDB, several construction changes were incurred and required the consultant to utilize funds previously allocated for Design Services during construction leaving insufficient funds within this task for the NMVIS2 - City Contract portion of the project, which will go to construction in summer of 1996. These construction changes were not anticipated at the time the City executed the original design agreement. Amendment No. 4 will provide for design and construction support services during construction for the second part of the project designated as NMVIS2 - City Contract.

Aud. Cert. 9601081.

WWF-96-205.

FILE LOCATION: MEET CCONT FY96-1

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1164) ADOPTED AS RESOLUTION R-287277

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

SUPPORTING INFORMATION:

For more than 60 years, raw sewage from the Republic of Mexico has flowed unabated into the United States plaguing the residents of San Diego. This flow is a serious threat to the region, creating health hazards, forcing the closure of beaches and impacting local businesses. For this reason, the City Council has continued to declare a State of Emergency in the Tijuana River Valley. The solution to this long standing problem is the construction of the International Treatment Facilities. The facilities consist of a 25 million gallon per day (mgd) secondary treatment plant in the United States, canyon collectors in Goat Canyon and Smuggler's Gulch to collect renegade sewage, and the South Bay Ocean Outfall. The status of these projects is as follows:

SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

- A. Construction Contract 1 (CC-1) - Site Preparation.
Construction: Completed February 23, 1995 at a cost of \$4,873,615.
- B. Construction Contract 2 (CC-2) - Advanced Primary Facilities.
Construction: June 1995 - March 1997.

Construction completion is on target for the December 1996 goal, with startup testing projected for January 1997. Overall, rebar placement, electrical conduit installation, and concrete placement are ongoing for all major structures. Most of the below ground structures are near completion and backfilling of foundations is ongoing. Foundations have been constructed for the unstabilized sludge storage tanks, unstabilized sludge mixing station, unstabilized sludge odor reduction station, sludge feed pump station, grit chamber, and main switchgear building. Lower and mid-walls have been constructed for the solids processing building, headworks, and primary sedimentation gallery and tanks. The center columns have been constructed in the truck loading facility. The roof and vertical steel supports for the personnel building have been installed. The majority of the 96-inch influent line from Mexico has been installed from near Stewart's Drain to the headworks.

- C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.
- D. Design: December 1993 - April 1996
Construction: On-hold

The design of the activated sludge secondary system was completed on April 15, 1996. Construction is on hold pending the completion of a Supplemental Environmental Impact Statement (SEIS) and a decision on the best alternative method for secondary treatment. A draft SEIS is expected to be released for public review in August/September 1996.

- D. Construction Contract 4 (CC-4) - Collection System.
Design: December 1993 - March 1996
Bid Solicitation: April 1996 - July 1996
Construction: August 1996 - August 1997

Design was completed on March 27, 1996. Construction is scheduled to begin in August 1996.

- E. Funding for the International Treatment Facilities.
Overall, Congress has appropriated \$239 million for the construction of the International Treatment Facilities. Based upon current construction estimates, the federal government has enough funds to complete the construction of the advanced primary plant, their share of the ocean outfall and the canyon collectors. There is a \$39 million deficit in funding for the completion of the secondary portion of the treatment plant, which is estimated at \$69 million.

The State Department has reprogrammed construction funds in FFY 1996 to allow the International Boundary and Water Commission (IBWC) to award a small O&M contract by July 1996, that will bring aboard the private contractor who will begin planning to operate the plant. Funds in the amount of \$14 million have been requested in FFY 1997 for full operation of the plant.

The IBWC has also reprogrammed funds to cover payments to the City for treatment of Tijuana sewage at Point Loma through September 30, 1996. Funding for FFY 1997 has been requested through the budget process.

SOUTH BAY OCEAN OUTFALL

- A. Package 1 - Special Structures.

Construction Contractor: Colich and Sons
Bid: \$9,950,000
Construction: April 1996 - July 1997

- A notice to proceed was issued on April 17, 1996.
- B. Package 2 - Tunnel.
Construction Contractor: Traylor Brothers/Obayashi
Bid: \$88,285,000
Construction: September 1995 - May 1998
Startup: June 1998

The ground freezing operation for the drop shaft began on March 8, 1996. The ground freezing operation is expected to be completed on May 1, 1996. The drop shaft is scheduled to be completed by July 1996.

The tunnel boring machine is scheduled to be on-site by mid-June 1996.

- C. Package 3 - Marine Works.
Construction Contractor: Fletcher General, Inc.
Bid: \$36,442,000
Construction: November 1995 - October 1997

The construction planning is in progress. The contractor has moved into his Imperial Beach field office. The marine work is scheduled to begin in May.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Section 108 Loan Guarantee Application.
(See Memorandum from Southeastern Economic Development Corporation for the agenda of 5/6/96. District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1191) ADOPTED AS RESOLUTION R-287278

Authorizing submission of an application for a Section 108 Loan Guarantee for \$6,835,380 to the United States Department of Housing and Urban Development;

Declaring that once approved, accepting and transferring up to \$6,835,380 of Section 108 Loan Funds to the Redevelopment Agency;

Authorizing the Community Development Block Grant allocation of:

a) \$650,000 from Council District 4 for a term of three years;

b) continue the allocation from the 4th District in the amount of \$500,000 for a term of seventeen years; and

c) \$150,000 for a term of seventeen years from the City-wide allocation beginning in the year 2000.

Aud. Cert. 9601079.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G161-638.)

MOTION BY STEVENS TO ADOPT. Second by VARGAS. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-not present, McCarty-nay, Vargas-yea, Mayor Golding-not present.

* ITEM-S400:

SUBJECT: Amending Council Policy 700-20 - San Diego Port Policy to Clarify the Scope and Limitation of the Policy.

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:
Adopt the following resolution:

(R-96-1331) ADOPTED AS RESOLUTION R-287279

Amending Council Policy No. 700-20 regarding the San
Diego Port Policy.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-166.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Wear. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:
None.

ADJOURNMENT:

The meeting was adjourned by Chairperson Stevens at 7:20
p.m. in memory of Frank M. Perry as requested by Council
Member Wear and Dr. George Prioleau as requested by Council
Member McCarty.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G638-682).